



—Photo by The Times-Picayune.

EUGENE DAVIS

T-P 6/30/67 BAR OPERATOR ISSUES DENIAL

Davis Says He Never
Was Bertrand

By BOB USSERY

The man whom Dean A. Andrews Jr. now identifies as Clay Bertrand went to District Attorney Jim Garrison's office Thursday and denied that he is Bertrand in an affidavit notarized by one of Garrison's assistants and witnessed by two other assistants.

Eugene C. Davis, a French Quarter bar operator who testified before the Orleans Parish Grand Jury Wednesday, appeared outside the waiting room door of Garrison's office with his attorney, G. Wray Gill, who handed out copies of the affidavit shortly after noon.

Gill, who did the talking for Davis, said his client "is apparently the man" the National Broadcasting Company identified as Clay Bertrand, but said emphatically that Davis "is not Clay Bertrand and has not passed as Clay Bertrand."

NBC, in a program critical of Garrison's Kennedy assassination investigation, said it had the identity of a man who used the name Clay Bertrand and turned it over to the Justice Department.

VISITED BY AGENTS

Gill also reiterated part of

his client's affidavit which said that two Federal Bureau of Investigation agents investigated the matter.

Davis' affidavit said:

"As a result of these false allegations by Dean Andrews, I was contacted by two federal officers within the last several days and I have fully cooperated with them and was given the assurance by one of the officers that after they had investigated into the matter, they felt assured that the identification of me as Clay Bertrand was false."

Clay Bertrand is an alias which Garrison has accused Clay L. Shaw, charged with conspiracy in the death of President John F. Kennedy, of using.

Andrews was previously indicted for perjury after testifying that he could neither be sure that Shaw and the man he knew as Bertrand were the

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same, nor that they were different persons.

As Gill spoke, Aaron M. Kohn, managing director of the Metropolitan Crime Commission of New Orleans, was inside Garrison's waiting room awaiting his noon appearance in the district attorney's office, which was ordered by one of Garrison's subpenas.

Kohn and E. C. Upton Jr., MCC president, requested Louisiana Attorney General Jack P. F. Gremillion to initiate an

investigation of charges brought against Garrison's investigation.

KOHN QUESTIONED

Kohn entered the waiting room at one minute before noon, but had to wait for one-half hour before being called into the inner offices by chief investigator Louis Ivon.

Kohn said that, in the main, his meeting consisted of "interrogation by Mr. Garrison, Mr. (James L.) Alcock, and Mr. (Richard V.) Burnes. Alcock and Burnes are assistant district attorneys who have been active

in Garrison's investigation.

The purpose of his subpoena was to answer questions in a district attorney's "investigation of allegations of unethical or illegal conduct," Kohn said.

"I was very pleased to see Mr. Garrison since he hasn't permitted me to in more than a year," Kohn said. Garrison was not present when Kohn testified before the grand jury Wednesday.

In response to a question before entering Garrison's office Kohn said he did not think of Garrison's subpoena as "fair or unfair."

"The law grants him this authority, and he is using it. We are perfectly glad to cooperate with the district attorney if his motives are constructive, and we won't know that until we've talked to him," Kohn said.

Kohn said his conversation was "formal" rather than "amiable," and that he will not comment on its content until reporting to the MCC executive council.

Davis, who operates Wanda's Bar at 704 Iberville, began his affidavit by assailing Andrews' allegations, and stating that he never called An-

draws about defending Lee Harvey Oswald.

It said:

"The recent statements by Attorney Dean A. Andrews identifying me as Clay Bertrand are utterly and completely false and malicious and damnable. They are lies without justification. This affidavit is being made to set the record straight to show that Dean Andrews has known me for a long time and knows that I have never been known by the name of Clay Bertrand to him or any other person. I want to state unequivocally for the record that I have never used the name of Clay Bertrand nor have I called Dean Andrews in reference to representation of Lee Harvey Oswald."

The affidavit was notarized by Assistant District Attorney John P. Volz and witnessed by assistants Burnes and Andrew J. Sciambra. Gill said he approved his client's signing of it.

CALL ALLEGED

Andrews told the Warren Commission that a Clay Bertrand called him shortly after the assassination with regard to representing Oswald before Oswald was shot to death by Jack Ruby.

However, he did not publicly

identify Davis as Bertrand until Wednesday.

Davis said he had spoken to Andrews about a Clay Bertrand after Shaw was indicted.

"The only time I have ever spoken to Dean Andrews and the name Clay Bertrand was mentioned was when Dean Andrews called me on the telephone which was after Clay Shaw was indicted and during the course of the conversation he asked me if I had ever known anyone by the name of Clay Bertrand or could I assist him in helping him to find a Clay Bertrand," Davis said.

Gill also said that Davis, "to the best of his knowledge," has not met Shaw; and he pointed up the lack of resemblance between his client and Shaw:

"I ask you to look at him and say if any human being with one eye could say he looks like Mr. Shaw."